

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AFAB INDUSTRIAL SERVICES, INC.,

Plaintiff,

-against-

LITTLE CHELSEA INC., et al.,

Defendants.

USDC SDNY
DOCUMENT
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DATE FILED: 12/12/2024

23-cv-03095 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

For the reasons discussed on the record at the December 11, 2024 final pretrial conference, it is hereby ORDERED that:

1. LCI's motion *in limine* (Dkt. No. 66) is DENIED;
2. AFAB's motion to preclude LCI's unpled affirmative defenses of trademark invalidity and trademark cancelation (Dkt. No. 76) is GRANTED IN PART AND DENIED IN PART, such that AFAB's motion with respect to the affirmative defense of trademark invalidity is GRANTED, and AFAB's motion with respect to the affirmative defense of trademark cancelation is DENIED AS MOOT;
3. LCI's motion to continue trial for at least 120 days (Dkt. No. 77) is GRANTED IN PART, such that the bench trial in this matter is ADJOURNED to **Tuesday, January 28, 2025 at 11:00 a.m.**, and the trial will conclude no later than Friday, January 31, 2025;
4. LCI's motion to serve Amy Mills via alternative service (Dkt. No. 79) is DENIED;
5. The parties shall file an amended witness list that complies with this Court's Individual Rules and Practices no later than **January 17, 2025**;
6. To the extent any party wishes to submit amended or supplemental Proposed Conclusions of Law and Findings of Fact, the parties shall do so no later than **January 17, 2025**.

The parties are advised that no further extensions or continuances of the trial date in this matter will be granted, absent compelling circumstances that could not have been anticipated as of the date of this Order. The January 28, 2025 start date for the trial is firm.

The Clerk of Court is respectfully directed to terminate Dkt. Nos. 66, 76, 77, and 79.

Dated: December 12, 2024
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge